

ORDINANCE NO. 1105

AN ORDINANCE OF THE CITY OF LODI ESTABLISHING WATER CONSERVATION MEASURES AND DECLARING THE SAME TO BE AN URGENCY ORDINANCE.

Section 1. Declaration of Urgency.

The City Council of the City of Lodi does hereby find that due to drought conditions that have prevailed in the past and are presently continuing, there is a shortage of water for use of the inhabitants of the City of Lodi; that the shortage of said water supply drastically impairs the necessary requirements of water for public health, fire fighting and domestic use; that this ordinance is being enacted in order to reduce the wasting of water by the users of the ground water supply of the City of Lodi with the overall goal being to reduce water consumption by at least 30% of the average daily use of the users of said water.

Section 2. Waste of Water Prohibited.

~~The waste of water is prohibited and any waste continued after~~
notice thereof is given shall make the person subject to the provisions of this ordinance.

Section 3. Definition of Waste of Water.

Waste of water includes but is not limited to the following:

1. Failure to repair a controllable leak of water.
2. The watering of lawns, flower beds or gardens between the hours of 10:00 a.m. and 7:00 p.m., provided further, however, that the watering of lawns, flower beds and gardens shall take place only on:

- a. premises having odd house numbers on Monday, Wednesday, Friday and Sunday;
 - b. on premises having even numbers on Tuesday, Thursday, Saturday and Sunday.
3. Washing of sidewalks, driveways, parking areas, tennis courts, patios, or other exterior paved areas except when required to remove any spillage of substances that may be a danger to public health or safety.
4. Washing with water any motor vehicles, trailers or movable equipment other than with bucket and rinsing said vehicle or equipment by use of a hose for not more than 3 minutes.
5. The excess watering of any area ~~so~~ that water flows into a gutter or drainage area for a period exceeding 5 minutes.

Section 4. Water Rates When Water ~~is~~ Wasted.

Whenever the City becomes aware of a person wasting water, then the City shall deliver a written notice to the person at the premises where the waste of water occurs and, in the event that no person is present, then the notice of the wasting ~~of~~ the ~~water~~ shall be left at the premises and a copy of said notice shall be mailed to the person who is regularly billed for the use of water at the premises.

This notice may be an addendum to the monthly utility bill. The notice may also be given to any other person known to the City who is responsible for the wasting of water or the correction thereof.

1. Said notice shall describe the wasting of water; order that it be corrected, cured or abated immediately or within such specified time as the City believes is reasonable under the circumstances.
2. In the event of second similar wasting of water, then a like notice as described in Paragraph 1 above shall be served and delivered and there shall be added to the next regular monthly bill of the premises, a charge of \$25 for the use of said wasted water.
3. A third similar wasting of water by said person shall result in an additional charge for said use of \$50.
4. A fourth similar wasting of water by said person shall result in an additional charge for said use of \$100, and the City may also require the person to pay the cost of a meter and the installation thereof as a prerequisite to service.

Section 5. Water Meter May Be Required.

In the event that any domestic, commercial or industrial user of the City water supply wastes water, whether or not said waste falls within the definition of Section 3, notice of acts constituting such wastes shall be given to the users. Upon failure to correct the said wasting of water after notice, then the City may disconnect the said service and require the installation of a meter

at the expense of the customer prior to the resumption of the service. In addition, said user shall pay a reconnection fee of \$100.

Section 6. Waiver of Strict Application of Ordinance.

If in the opinion of the Public Works Director the public health or safety or an unnecessary or undue hardship may be suffered by the strict application of any of the provisions of this ordinance, the Public Works Director may waive a strict application of any of the provisions of this ordinance. The decision of the Public Works Director may be appealed to the City Council.

Section 7. Violation Declared an Infraction.

In addition to the surcharge hereinabove set forth for the wasting of water, any person who wastes water, as waste of water is defined herein, may also be charged with an infraction by the citation process established by the City of Lodi.

Section 8. Effective Date of Ordinance.

By reason of the emergency found to exist by the City Council of the City of Lodi in Section 1, this ordinance is hereby declared to be an urgency measure and shall take effect immediately.

Section 9. This ordinance shall supersede any other ordinance or regulation of the City of Lodi in conflict herewith and shall remain in effect until the City Council declares that the water shortage emergency has ended.

Section 10. This ordinance shall be published one time in the "Lodi News Sentinel," a daily newspaper of general circulation, printed and published in the City of Lodi .

The foregoing ordinance **was** introduced and adopted as an emergency ordinance by a four-fifths (4/5) vote of the City Council in a regular meeting of the City Council of the City of Lodi held on the 20th day of April, 1977 by the following vote:

Ayes: Councilmen Ehrhardt, Hughes, Pinkerton, Katzakian
and Mayor Katnich

Noes: None

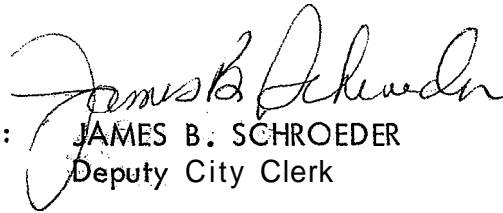
Absent: None

Approved this 20th day of **April** 1977



WALTER J. KATNICH
Mayor

ATTEST:



JAMES B. SCHROEDER
Deputy City Clerk